



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

[REDACTED]

PRELIMINARY RECITALS

Pursuant to a petition filed June 04, 2015, under Wis. Admin. Code § HA 3.03(1), to review a decision by the La Crosse County Department of Human Services in regard to FoodShare benefits (FS), a telephonic hearing was held on June 24, 2015, at Sparta, Wisconsin.

The issue for determination is whether there is any remaining issue in dispute regarding the agency's discontinuation of petitioner's FoodShare (FS) benefits for the period of June 1 to June 8, 2015, due to providing late employment verification to the agency.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By:

[REDACTED]
La Crosse County Department of Human Services
300 N. 4th Street
PO Box 4002
La Crosse, WI 54601

ADMINISTRATIVE LAW JUDGE:

Gary M. Wolkstein
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Monroe County who resides in a household of two with [REDACTED] (who is petitioner's caregiver).
2. The petitioner receives FoodShare (FS) benefits for a FS household of two.

- [REDACTED]
3. The petitioner receives monthly Social Security of \$1,122.00.
 4. The agency received a new hire alert that [REDACTED] was employed with a restaurant, [REDACTED]
 5. The agency sent a May 1, 2015 Verification Request to the petitioner requesting that she needed to provide verification of [REDACTED] new employment and income at [REDACTED] [REDACTED] by May 11, 2015.
 6. The county agency did not receive the requested verification by May 11, 2015 or even by May 17, 2015.
 7. The county agency sent a May 18, 2015 Notice of Decision to the petitioner stating that effective June 1, 2015 her FoodShare (FS) benefits would be discontinued, due to failure to timely submit required employment and income verification to the agency.
 8. The agency received the required employment verification on June 8, 2015, and re-opened petitioner's FS benefits as of that date.
 9. After hearing the county's case during the June 24, 2015 hearing, petitioner agreed that she was no longer disputing that the county agency correctly discontinued her FS benefits for the period of June 1 – 8, 2015, due to failure to submit Mr. [REDACTED] verification until June 8, 2015.

CONCLUSIONS OF LAW

There is no longer any remaining issue in dispute regarding whether the county agency correctly discontinued petitioner's FS benefits for the period of June 1 – 8, 2015, as petitioner was no longer disputing that neither she nor Mr. [REDACTED] submitted the his employment verification prior to June 8, 2015.

THEREFORE, it is

ORDERED

The petition for review herein be and the same is hereby Dismissed.

REQUEST FOR A REHEARING

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.



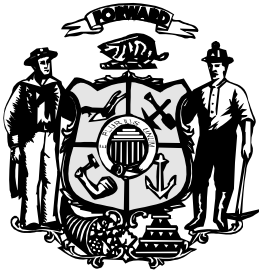
APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, Madison, Wisconsin 53703, **and** on those identified in this decision as “PARTIES IN INTEREST” **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Madison,
Wisconsin, this 20th day of July, 2015

\sGary M. Wolkstein
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on July 20, 2015.

La Crosse County Department of Human Services
Division of Health Care Access and Accountability